(39)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench : Hon'ble Shri H.L. Dattu, C.J.

Contempt Case No.16 of 2007

Petitioners

1. S.L. Devangan, aged – 53 years s/o Late Shri Sakharam Devangan by occupation:- Sub-Inspector (M) Home guard HQR Raipur
2. T.R. Sinha, Age-59 Yrs S/o Shri Late Baisakhuram Sinha by occupation:- Subedar (M) Home guard H.Q. Raipur
3. Rajesh Singh Age-35 Years S/o shri B.R. Singh stenographer Occupation:- Homeguard H.Q. Raipur
4. B.S. Gandharv Age 54 years S/o Shri R.P. Singh S.I. (M) Occupation: Home guard H.Q. Raipur.
5. N.P. Pandey Age 50 years S/o Late Shri J.P. Pandey Occupation:- Sub-Inspector (M) Occupation:- Sub-Inspector (M) Home guard R P R
6. K.K. Mishra Aged 42 yrs S/o Shri Naval Kishor Mishra Occupation:- Sub_Inspector (M) Home guard H.Q. Raipur
7. Mahendra Kumar Lahare Age 45 year S/o Latel Ram Lahri Occupation: Subedar (M) H.Q.R. Raipur
8. P.L. Singh Aged 49 Years S/o Late, Shri Rameshver Singh Sub-Inspector (M) Home Guard H.Q. Raipur
9. T.L.Sahu aged 46 years S/o late Shri Shankar Lal Sahu Sub-Inspector (M) Home Guard R.P.R.
10. B.R. Skhare aged 45 years S/o late Shri Shivcharan Skhare Sub-Inspector (M) Home Guard
11. S.K. Bhagat aged 47 years S/o. late Shri Eknat Bhagat Sub-Inspector (M) Home Guard
12. A.R. Sahu s/o Kaliram Sahu age 47 year Sub-Inspector (M) Home Guard R.P.R. Raipur

Vs.

Respondents

1. Subhash Atrey, The State of Chhattisgarh through the Secretary Home & Police AFFAIRS D.K.S. Bhawan Mantralaya Bhavan,Raipur (C.G.)
2. Awadh Bihari, The Secretary, Fiance D.K.S. Mantralaya Bhavan, Raipur

(C.G.)

3. Basudev Dubey, The Director General of Home guards, Mana Camp, Raipur (C.G.)
4. Deepak Tiwari, Senior Staff Officer Home Guards, Mana Camp, Raipur, Raipur (C.G.)

Present : Shri Prakash Tiwari, counsel for the petitioners.
Shri Sunil Otwani, counsel with respondent No.4, Shri Deepak Tiwari, Senior Staff Officer, Home Guards, Mana Camp, Raipur.

ORAL ORDER
(Passed on 14th March, 2007)

The petitioners in Writ Petition No.1137 of 2006 are the complainants in this contempt petition. They allege that respondent No.4 has committed an act of contempt by disobeying the orders and directions issued by this Court while disposing of Writ Petition No.1137 of 2006 on 26-4-2006.

(2) The writ petition was filed by the complainants/petitioners, inter alia, questioning the recovery notice issued by respondent No.4 dated 24-1-2006. This Court, by its order dated 26-4-2006, had quashed the impugned order dated 24-1-2006.

(3) Learned counsel appearing for respondent No.4 would submit that after the orders were passed in the writ petition, respondent No.4 did not recover any amount from the petitioners either from their salary or from their other benefits. I do not doubt the statement made by learned counsel appearing for respondent No.4. Therefore, I am of the opinion that respondent No.4 has not committed disobedience of the orders and directions issued by this Court.

(4) In that view of the matter, cognizance of this contempt petition need not be taken by this Court. Accordingly, the contempt petition is

disposed of. However, liberty is reserved to the petitioners to make an appropriate representation before the respondents for appropriate reliefs. Ordered accordingly.

Sd/-
Chief Justice